

## **REMARKS**

### **Priority and New Declaration:**

The Applicant encloses a revised Declaration, reflecting a priority claim to German application 199 27 650.1, as well as to PCT/EP00/03146. The Applicant respectfully requests acknowledgement of Applicant's claim to priority.

### **Specification:**

The Applicant has revised the specification, via the enclosed substitute specification, to insert appropriate section titles. In addition, the Applicant has reviewed and revised the specification in response to the Examiner's request for correction of minor errors and for readability. No new matter is added.

### **Drawings:**

The Applicant submits replacement drawings pages bearing FIGS. 3 and 5, along with Annotated Marked-Up Drawings. Cross-section line III-III has been added to FIG. 3 and cross-section line IV-IV has been added to FIG. 5.

The Applicant does not submit revised drawings to show reference numbers 5 and 15. Rather, the specification has been amended, such that reference numbers "5" and "15" are changed to "50". Thus, all reference numbers are depicted on the drawings and all depicted reference numbers are discussed in the specification.

### **Pending Claims:**

In this application, claims 1-26 are currently pending. All of the claims have been amended by this Response. Entry of these amendments is respectfully requested.

### **Claim Objections:**

The Applicant has amended the claims to address the Examiner's objections. Specifically, the reference numerals have been removed and the claims have been amended to avoid multiple dependencies. Claims 1 and 2 have been amended to address the Examiner's explicit concerns with respect to informalities.

**Rejection under 35 U.S.C. §102(e)**

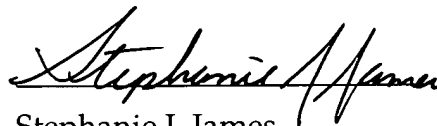
The Examiner has rejected claims 1-3 as being anticipated by Burbank, U.S. Pat. No. 6,454,727. As presented in the enclosed Declaration of Kai Desinger Under 37 C.F.R. §1.131, the Applicant asserts invention prior to the earliest priority date, i.e. March 3, 1998, of the Burbank patent. Therefore, the Burbank patent is not appropriately applied against the pending claims and a withdrawal of the rejection is earnestly requested.

**CONCLUSION**

All of the claims remaining in this application should now be seen to be in condition for allowance. The prompt issuance of a notice to that effect is solicited.

Respectfully submitted,  
Dr. Kai Desinger,  
By his attorneys:

Date: 12/14/04



Stephanie J. James  
Registration No. 34,437  
Beck & Tysver, P.L.L.C.  
2900 Thomas Ave., #100  
Minneapolis, MN 55416  
Telephone: (612) 915-9636  
Fax: (612) 915-9637

### **Amendments to the Drawings**

The Applicant requests entry of two replacement drawing pages bearing FIGS. 3 and 5, attached hereto. In addition, the Applicant has provided "Annotated Marked-Up Drawings" indicating the changes made to these two sheets.